



11 July 2024

Edmonton Police Service
Professional Standards Branch
Police Headquarters
9620-103A Avenue
Edmonton, AB T5H 0H7

Via regular mail

Dear Professional Standards Branch,

Re: Peace and Unity Festival Call Response

I write on behalf of the BC Civil Liberties Association (“BCCLA”), the oldest and most active civil liberties and human rights group in Canada. Based in BC, our work is national in scope and we conduct legal interventions, law reform advocacy, and community support across Canada. The BCCLA has received concerning reports about the response of the Edmonton Police Service (“EPS”) to a misleading call regarding the Peace and Unity Festival (“Festival”) which took place on 29 June 2024 and had a disproportionate effect on the marginalized Albertans who were present, including migrants and Palestinians. We request that your office conduct an internal review of the day’s events to examine why they unfolded as they did, make such changes to EPS policies, or provide such guidance to EPS personnel, as may be necessary to address these concerns, and take any further appropriate action to ensure that a similar response does not reoccur.

We understand that the EPS received a call characterizing the Festival as an “out-of-control protest” and responded with ample police resources as a result of this mischaracterization. We further understand that this call came from a member of the Wolf Willow Westridge Community League Board (“Community League”), the operators of the facility rented for the event, who took issue with the expression of Palestinian cultural pride. This expression included the performance of a children’ Palestinian traditional dance troupe and the display of Palestinian flags, and anti-war sentiments expressed by other performers (“Expressions”). We also understand that there were Community League representatives present on site who were offended by the Expressions and were behaving in an aggressive manner. In an attempt to deescalate the conflict, onsite EPS personnel chose to make requests to the Festival organizers that Palestinian performers not be permitted to take the stage, that Palestinian flags be taken down, and that a Palestinian vendor be ejected from the market area. The Festival organizers were unwilling to take these actions, believing them to be a violation of the *Alberta Human Rights Act*, and as a result the Festival was cancelled before its scheduled programming was complete.

It would have been clear to responding EPS personnel upon arrival at the Festival site that the true nature of the disturbance was that of a landlord-tenant dispute regarding use of facilities rather

British Columbia Civil Liberties Association
306 - 268 Keefer Street
Vancouver, BC Canada V6A 1X5

Tel 604.687.2919 info@bccla.org
Fax 604.687.3045 www.bccla.org
Toll-free 855.556.3566

than protest activity. Despite this, we understand that the substantial EPS resources, which would have been required for crowd control had the call been accurate, remained on site until after the Festival was cancelled and participants dispersed.

We wish to remind the EPS that mere police presence is the first step on the use-of-force continuum, and that it can cause distress to members of the public who are not engaged in any wrongdoing. The number of police present will increase these effects, which are heightened for civilians who have had negative or traumatic experiences with law enforcement, whether in Canada or abroad. The nature of the Festival made it likely that people with these previous negative experiences – Indigenous people, people with temporary immigration status, and people who faced state repression in their countries of origin – would be present at the Festival, as indeed they were. We understand that some Festival-goers from these communities have been affected by the policing response such that they are hesitant to engage with public and community life here in Canada for fear of state repression. In the context of the overwhelming police presence, any requests that the officers made to Festival participants had greater coercive weight than they would have if a single pair of officers were present.

As you are no doubt aware, the Expressions are protected by section s 2(b) of the *Canadian Charter of Rights and Freedoms*¹ (“*Charter*”), which guarantees the right to freedom of expression subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society. Political expression, including commentary about the political actions of a foreign state, lies “at the very heart”² of this protection. The expression of Palestinian national identity by Palestinians in Canada implicates not only their s 2(b) freedom of expression rights but also their s 15 equality rights. While the Community League may not be bound by the *Charter*, it is the EPS’s solemn duty to uphold all laws of the land, including the highest law set out in constitutional instruments like the *Charter*. The EPS must not be manipulated by private actors into undermining, or even violating, *Charter*-enshrined values and rights, as appears to have taken place in this case.

Thank you for your attention to this matter. We are hopeful that an examination of the events of 29 July 2024 – in particular, of why so many police vehicles and personnel remained onsite once the nature of the event became clear and how the decision was made to request the exclusion of Palestinian Festival participants and removal of Palestinian national symbols – will enable the EPS to better safeguard the rights and freedoms of all Edmontonians in the future.

Sincerely,



Aislin M. Jackson
Policy Staff Counsel

¹ Part I of the *Constitution Act, 1982*, being Schedule B to the *Canada Act 1982* (UK), 1982, c 11.

² *Libman v Quebec (Attorney General)*, [1997] 3 SCR 569, 1997 CanLII 326 (SCC) at para 30.